

USSN 10/748,596
Amendment Pursuant to 37 CFR 1.111
March 14, 2005
Page 10 of 11

REMARKS

Responsive to the communication mailed December 13, 2004, Applicants provide the following remarks. Reexamination and reconsideration of the application as amended herein are respectfully requested.

Amendment to the Specification

The "Cross-Reference to Related Applications" has been amended to update the status of parent application serial number 09/534,580, which has issued as U.S. Patent No. 6,704,511. No new matter has been added.

Claim Amendments

Claims 27, 36-38 and 40 have been amended to address the Examiner's rejection thereof under 35 USC § 112. The amendments to these claims are not considered narrowing amendments. Claims 34 and 46 have been cancelled without prejudice. These claims may be prosecuted in a separate continuation application.

Double Patenting Rejection

Claims 13-18, 34 and 46 have been rejected under the judicially created doctrine of obviousness-type double patenting in view of U.S. Patent No. 6,704,511. Applicants submit herewith a Terminal Disclaimer to obviate the rejection, and respectfully request that the rejection be withdrawn upon reconsideration.

35 U.S.C. §112 Rejection

Claims 27, 36-38 and 40 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicants have amended claims 27, 36-38 and 40 to address the rejection

USSN 10/748,596
Amendment Pursuant to 37 CFR 1.111
March 14, 2005
Page 11 of 11

thereof. It is believed that the amended claims satisfy the requirements of 35 U.S.C. § 112, second paragraph, and that the rejection should be withdrawn upon reconsideration.

35 U.S.C. §102 Rejections

Claims 34 and 46 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Huang (U.S. Patent No. 6,256,138) and under 35 U.S.C. § 102(b) as being anticipated by Alexander et al. (U.S. Patent No. 5,726,784). Claims 34 and 46 have been cancelled without prejudice, rendering the rejections thereof moot. It is respectfully requested, therefore, that the rejections of claims 34 and 46 under 35 U.S.C. § 102 be withdrawn upon reconsideration.

Applicants respectfully submit that in light of the foregoing remarks, all of the presently pending claims are in a condition for allowance. In the event the Examiner deems personal contact desirable in disposition of this application, the Examiner is respectfully requested to call the undersigned attorney at (603) 668-6560.

Payment in the amount of \$130.00 is enclosed to account for the fee associated with the Terminal Disclaimer submitted herewith. No other fees are believed to be due in connection with this response. In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,



Donald J. Perreault, Attorney For Applicants

Registration No. 40,126

GROSSMAN, TUCKER, PERREAULT

& PFLEGER, PLLC

55 South Commercial Street

Manchester, NH 03101

Ph: 603-668-6560

Fx: 603-668-2970

March 14, 2005